

1-1 By: Estes S.B. No. 1398
 1-2 (In the Senate - Filed March 7, 2013; March 18, 2013, read
 1-3 first time and referred to Committee on State Affairs;
 1-4 April 9, 2013, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 8, Nays 0; April 9, 2013,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1398 By: Nichols

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to rules governing the allocation of delegates to a
 1-22 political party's national presidential nominating convention.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 191.007, Election Code, is amended to
 1-25 read as follows:

1-26 Sec. 191.007. ALLOCATION OF DELEGATES. (a) Each political
 1-27 party holding a presidential primary election shall adopt a rule
 1-28 for allocating delegates [~~based on the results of the presidential~~
 1-29 ~~primary election~~].

1-30 (b) A rule adopted under this section may utilize either a
 1-31 proportional or winner-take-all method, based on the results of the
 1-32 primary election, which may be based on:

1-33 (1) a direct tie to statewide popular vote totals;

1-34 (2) a direct tie to congressional or state senatorial
 1-35 district popular vote totals; or

1-36 (3) an alternative disproportionate method that is
 1-37 based on statewide, congressional district, or state senatorial
 1-38 district popular vote totals.

1-39 (c) Subsection (b) does not apply to delegates allocated:

1-40 (1) among party and elected officials; or

1-41 (2) through an allocation based on participants
 1-42 registering for or attending a caucus or similar process. [At least
 1-43 75 percent of the total number of delegates who are to represent
 1-44 this state at the party's national presidential nominating
 1-45 convention, excluding delegates allocated among party and elected
 1-46 officials, shall be allocated in accordance with the rule among one
 1-47 or more of the candidates whose names appear on the presidential
 1-48 primary election ballot and, if applicable, the uncommitted
 1-49 status.]

1-50 SECTION 2. This Act takes effect immediately if it receives
 1-51 a vote of two-thirds of all the members elected to each house, as
 1-52 provided by Section 39, Article III, Texas Constitution. If this
 1-53 Act does not receive the vote necessary for immediate effect, this
 1-54 Act takes effect September 1, 2013.

1-55 * * * * *